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Atty. Dkt. 28952.5667

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/734,907

Confirmation No. 2303

In re the Application of

Richard J. ROESGEN et al

Group Art Unit 3711

Filed: December 12, 2003

Examiner: Alvin A. Hunter

For: GOLF CLUB HEAD

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents  
US Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22313-145

Sir:

Applicants' undersigned attorney of record thanks Examiners Hunter and Blau for the courtesies extended during the interview conducted at the USPTO on March 14, 2006.

At the interview, applicants' attorney indicated that applicants believed that their positions on the issues raised by the Office Action mailed June 13, 2005 are well-stated in the response filed December 13, 2005, but offered to discuss any aspect of that response which might be of interest to the Examiners.

Applicants' attorney indicated that it appeared to applicants that the underlying motivation for

the existing rejections of the application were attempts by the PTO to understand why the claimed invention functions as represented by applicants. Applicants' attorney pointed out that while applicants did not know exactly why the claimed invention works to provide the results stated in the application, there are theories of operation which may explain the reported results. However, the law does not require applicants to state any hypothesis or theory of operation of a disclosed and claimed invention.

Applicants' attorney also pointed out that it appeared that there is no issue concerning the fact that applicants' disclosure adequately tells one of ordinary skill in this art how to make a golf club head embodying the claimed invention. Thus, applicants believe that their disclosure satisfies the 35 U.S.C. §112, paragraph one, enablement requirement. Further, the prior art of record does not disclose all elements of applicants' invention, let alone the unique function attributable to that combination of elements.

It is applicants' attorney's understanding that Examiner Hunter has not yet completed his further examination of the application after receipt of applicants' Amendment filed December 13, 2005. However, in view of the statement at page 3 of the Examiner's Interview Summary, it is applicants' attorney's present understanding that in view of the arguments presented at the interview, the Examiner now believes applicants' claimed invention to be enabled by applicants' disclosure, thus resolving the rejection under 35 U.S.C. §112, first paragraph, stated in the Office Action of June 13, 2005.

At the conclusion of the interview, applicants' attorney indicated his willingness to discuss with applicants the Examiners' suggestion of combining the limitations of dependent claim 8 with

those of independent claim 1. Applicants' attorney also urged the Examiner, upon further examination of the case, to contact applicants' attorney by telephone in an effort to resolve any remaining issues and thereby place the application fully in condition for allowance.

Respectfully submitted,

STEPTOE & JOHNSON LLP

A handwritten signature in black ink, appearing to read "Roger W. Parkhurst", written over a horizontal line.

Roger W. Parkhurst  
Registration No. 25,177

March 16, 2006

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